REMARKS

Claims 1-23, 25-28, and 31-41 are currently pending in the present application (claims 24, 29, and 30 had been canceled in a previous response). In an office action dated November 16, 2004, claims 1-13, 16-17, and 19-41 were rejected and claims 14, 15, and 18 were objected to. In the present response, Applicants traverse the rejections as follows.

Rejections under 35 U.S.C. 103

Claims 1-6, 8-13, 16, 17, 19-33 and 35-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Angwin et al. (WO 00/41416) in view of Westberg (US 6,041,054). It was alleged that Angwin teaches all of the features of the rejected claims. Specifically, it was alleged that Angwin teaches a "data recognizer that differentiates the voice data from the non-voice data" in column 5, lines 8-42. It was also alleged that Westberg discloses a controller that switches a wireless device to a first internet protocol for the broadcast of voice data and a second internet protocol for the broadcast of non-voice data in col. 4, lines 15-52. It was further alleged that it would have been obvious for one skilled in the art to combine the two references to arrive at Applicants' invention.

Applicants do not believe that Angwin teaches the limitation of "data recognizer that differentiates the voice data from the non-voice data" in column 5, lines 8-42 (Note: Applicants believe that the Examiner meant page 5, lines 8-42). This section of Angwin discusses how voice and control data are transmitted without the use of SMS or other data channels/services, the benefits of doing so, and the problems of the prior art in transmitting voice and control data separately. Nowhere in this section does Angwin teach the use of a data recognizer that differentiates voice data from non-voice data.

Applicants note that the same rejection was alleged using the Angwin reference (page 8, lines 39-40) in the previous Office Action. In a response, Applicants pointed out that the IWF taught by Algwin simply converts voice packets from "telephone lines" to a format suitable for over-the-air transmission to a wireless telephone, rather than to differentiate voice data from non-voice data.

It was further alleged that Westberg teaches a controller that switches a wireless device between first and second internet protocols according to differentiation by the data recognizer in column 4, lines 15-52. Applicants believe this section from Westberg does not teach such a controller.

Westberg teaches a method for efficiently transmitting "IP-based data packets by employing asynchronous transfer mode (ATM) adaption layer two (AAL2) minicells as a bearer. Transmission efficiency may be further enhanced by mapping one or more data fields from the header portion of the IP data packets into one or more look-up tables and then transporting the look-up table addresses in the AAL2 minicell headers rather than the data associated with the one or more data fields in the IP data packet headers" (Westberg, abstract). The cited passage from Westberg teaches nothing about "a controller that switches a wireless device between first and second internet protocols according to differentiation by the data recognizer". Rather, it teaches a method for transporting IP-based data packets as follows:

> "...the method determines whether data associated with a session context/connection identifier data field in a header portion of a first internet protocol data packet has been previously stored in a look-up table. If it has not been previously stored in the look-up table, the method inserts the full internet protocol data packet header into a payload portion of a first AAL2 minicell. In addition, an unused look-up table address is inserted into a data field associated with the header portion of the AAL2 minicell. The first AAL2 minicell is then transmitted from a sending point to a receiving point in the network. At the receiving point, the data associated with the session context/connection identifier data field is stored in the look-up table in accordance with the unused address in the data field associated with the AAL2 minicell header. Next, the method determines whether data associated with a session context/connection identifier data field in the header of a second internet protocol data packet has been previously stored in the look-up table. If the data associated with the session context/connection identifier data field in the header of the second internet protocol data packet has been previously stored, then the look-up table address associated with this previously stored data is inserted into a data field in the header portion of a second AAL2 minicell. The remaining portion of the second internet protocol data packet header, excluding the session context/connection identifier data field, is then inserted into a payload portion of the second AAL2 minicell, which is, in turn, transmitted to the receiving point. The data associated with the session context/connection identifier data field in the header of the second internet protocol data packet is then retrieved from the look-up table based on the address stored in the data field of the second AAL2 minicell header."

Applicants believe that it is clear that Westberg does not discuss transmitting IP packets using a first protocol for voice data and a different protocol for non-voice data in this, or any other, section of the reference.

CONCLUSION

Neither Angwin nor Westberg teach a "data recognizer that differentiates the voice data from the non-voice data". Neither Angwin nor Westberg disclose a controller that switches a wireless device to a first internet protocol for the broadcast of voice data and a second internet protocol for the broadcast of non-voice data. These features are found in all of Applicants' independent claims and, therefore, Applicants believe that all other rejected claims are allowable as being dependent upon allowable claims. In light of the foregoing, Applicants respectfully request that the rejections under section 103(a) be withdrawn. Applicants believe that a complete response has been made to the outstanding office action. If the examiner believes that a personal communication is needed to resolve any outstanding issues, the examiner is invited to call the attorney at the telephone number provided below.

Respectfully submitted,

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By: _____

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